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June 13, 2018

BY ECF

Honorable Jesse M. Furman
United States District Judge
Southern District of New York

Re: *Stephanie Clifford a/k/a Stormy Daniels v. Donald J. Trump*
Case No. 1:18-cv-03842-JMF

Dear Judge Furman:

We represent defendant Donald J. Trump (“Mr. Trump”) in the above-referenced action. We submit this letter-motion to request a **forty-five (45) day continuance** of the Initial Pretrial Conference currently scheduled for June 20, 2018, at 2:30 p.m., along with a corresponding continuance of all related deadlines, including the parties’ deadline to file the Civil Case Management Plan, Scheduling Order and joint letter. Plaintiff Stephanie Clifford **consents** to this motion.

Mr. Trump’s counsel did not learn about the Initial Pretrial Conference until yesterday afternoon, June 12, 2018, at 3:45 pm PST, when they received an email from counsel for Plaintiff Stephanie Clifford attaching the Court’s Notice of Initial Pretrial Conference (the “Notice”). [ECF No. 6.] Mr. Trump immediately met and conferred with counsel for Plaintiff and is filing this motion as soon thereafter as practicable.

This motion is based upon the following grounds:

1. **The Initial Pretrial Conference is Premature**: Pursuant to Mr. Trump’s waiver of service of the Summons and Complaint on May 23, 2018 [ECF No. 7], his response to the Complaint is not due until **July 23, 2018**.

On or before that date, Mr. Trump intends to file a motion to transfer this action pursuant to 28 U.S.C. § 1404(a) or, in the alternative, to dismiss or stay this action pursuant to the “First-Filed” rule (the “Motion to Transfer”). The Motion to Transfer will be based, in large part, upon the previously filed action by Plaintiff against Mr. Trump pending in the Central District of California, entitled *Stephanie Clifford v. Donald J. Trump et al.*, Case No. 2:18-cv-02217-SJO-FFM (the “California Action”). Plaintiff intends to oppose the Motion to Transfer.

The parties agree that a continuance of forty-five (45) days is warranted in order to allow Mr. Trump to file the Motion to Transfer prior to the Initial Pretrial Conference.

Honorable Jesse M. Furman
June 13, 2018

2. **Substantial Scheduling Conflicts Exists**: The parties to this action currently have a hearing scheduled in the California Action in Los Angeles on June 21, 2018 at 1:30 pm, i.e. twenty-six (26) hours after the currently scheduled Initial Pretrial Conference. Also, Mr. Trump's lead counsel, Charles J. Harder, has a court appearance in another matter in the U.S. District Court in Los Angeles on June 19, 2018 at 10:00 a.m. Given that Mr. Harder just learned about the Initial Pretrial Conference, it will be extremely difficult, if not impossible, for Mr. Harder to attend the June 19, 2018 hearing in Los Angeles, fly to New York for the June 20, 2018 Initial Pretrial Conference, and then fly back to Los Angeles for the hearing in the California Action the next day. Mr. Harder is required to attend all three hearings in person.

As required by the Notice, Mr. Trump provides the following additional information:

1. The original date of the Initial Pretrial Conference is **June 20, 2018**. The parties' original deadline to submit a Civil Case Management Plan, Scheduling Order and joint letter is **June 14, 2018**.

2. There have been no previous requests for adjournment or extension of the Initial Pretrial Conference.

3. Not Applicable.

4. Plaintiff has consented to this motion.

5. Aside from the currently scheduled Initial Pretrial Conference, there are no other scheduled appearances before this Court.

Based upon the foregoing, Mr. Trump respectfully requests a forty-five (45) day continuance of the Initial Pretrial Conference currently scheduled for June 20, 2018, at 2:30 p.m., along with a corresponding continuance of all related deadlines, including the parties' deadline to file the Civil Case Management Plan, Scheduling Order and joint letter.

Very truly yours,



CHARLES J. HARDER OF
HARDER LLP

cc: Plaintiff's counsel (by ECF)